



STATE OF MICHIGAN

GRETCHEN WHITMER
GOVERNOR

DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING

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DIRECTOR

IV-D MEMORANDUM 2021-027

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: December 17, 2021

SUBJECT: Updates to Agency Complaint Policy

ACTION DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum announces updates to Section 4.03, "Agency Complaints," of the *Michigan IV-D Child Support Manual*. Section 4.03 has been revised to include the option for PAs¹ to send agency complaints to OCS support specialists (SSs) for verification of information and signature as the Michigan Department of Health and Human Services (MDHHS) designated representative.

Additionally, this IV-D Memorandum discusses adding "Good Cause Granted, Continue Action" to the list of situations in which a PA may consider filing an agency complaint.

Significant changes to Section 4.03 since its last publication are indicated by a change bar in the right margin.

DISCUSSION:

A. Background

An agency complaint is a civil action filed on behalf of a governmental unit. It may be necessary in certain situations identified in Subsection 2 of Section 4.03 of the

¹ In this IV-D Memorandum, "PA" refers to the PA or to IV-D staff in the PA office. It also includes FOC staff who conduct IV-D establishment services in PA/FOC combined offices. This includes FOC staff who conduct IV-D establishment services in PA/FOC combined offices.

UPDATE(S):

☒ Manual

☐ Form(s)

manual. For example, filing an agency complaint may be necessary when custodial parties (CPs) receiving certain types of public assistance will not cooperate in signing a complaint.

In 2019, an increasing number of PAs were asking OCS to sign their agency complaints based on their belief that it was inappropriate for PAs to sign the complaints. To address this issue, OCS assembled the Agency Complaint Workgroup comprised of staff from OCS, PA offices, combined PA/FOC offices, and the State Court Administrative Office (SCAO). The workgroup recommended an update to policy to include the option for PAs to submit agency complaints to an SS for verification and signature. While it is still appropriate, authorized² and more efficient for PAs to sign agency complaints, SSs will sign agency complaints in limited circumstances as outlined in Subsections 2.1 through 2.4 of Section 4.03.

B. Updates to Section 4.03

1. Additional Situation for PAs to Consider Filing an Agency Complaint

OCS has revised Section 4.03 to include a “Good Cause Granted, Continue Action” determination as a situation in which a PA may consider filing an agency complaint. The PA may continue child support services without the participation of the CP in that situation.

2. Option for PAs to Send Complaints to SSs for Verification and Signature

OCS also revised Section 4.03 to include the option for a PA to send an agency complaint to an SS for verification and signature.

a. Sending the Agency Complaint

To send a complaint to OCS for electronic signature, a PA must have a OneSpan Sign account. [IV-D Memorandum 2021-005, Options for Electronic Signatures and Introduction of OneSpan Sign Software](#), discusses the process for requesting a OneSpan Sign account. While the PA will need a OneSpan Sign account to send an agency complaint to the SS, the SS will not need an account to electronically sign an agency complaint. Because OneSpan Sign avoids paper transmission, allows easier monitoring of responses, and is more efficient, SSs will only accept agency complaints submitted via OneSpan Sign. Any agency complaints mailed or faxed to an OCS or MDHHS office for signature will be returned unsigned to the county.

² Ref: [Exhibit 4.03E1: MDHHS Director's Letter Delegating Agency Complaint Filing Authority for Child Support](#).

PA staff can find training resources for OneSpan Sign, including demonstration videos, guides, and job aids, on mi-support.³ OCS will add new and revised training materials to mi-support as they become available.

b. Verifying and Signing the Complaint

An SS will verify whether the IV-D information in the complaint is valid using the Michigan Child Support Enforcement System (MiCSES), Business Objects, Data Warehouse, forms, records, etc.⁴ SSs will electronically sign the complaint when the information is true to the best of their knowledge, or they will decline the transaction when it is not. After the SS completes the signature process, OneSpan Sign will automatically close the transaction and email the PA a notice that the transaction is complete.

3. Other Changes to Section 4.03

In Subsection 3.3, “Other Resources for Information,” OCS included the following:

- The paper *IV-D Child Support Services Application/Referral* (DHS-1201);
- Online *IV-D Child Support Services Application/Referral* (e1201);⁵
- The paper *Child Support Response* form (DHS-842); and
- *Online Child Support Response* form (e842).

These forms were included as additional resources the PA may use to gather the information needed to file an agency complaint.

C. Special Requests

Because of capacity constraints, OCS will accept requests for signatures only for reasons as discussed in Subsections 2.1 through 2.4 of Section 4.03.⁶ All other requests will be returned to the requesting IV-D office without a signature. Additionally, OCS is unable to accommodate special requests such as wet signatures or signatures using a particular color of ink.

Finally, OCS does not have a platform to support notarization services. SSs cannot notarize documents submitted for signature, such as the *Uniform Child Custody Jurisdiction Enforcement Act (UCCJEA)* affidavit.

³ Training resources are located on mi-support at: [Program Library → Index → Document/Forms Generation](#).

⁴ Ref: [Job Aid: eSignature Verification Checklist](#) for information on verifying agency complaints.

⁵ Ref: [Section 2.05, “Referrals and Applications,” of the Michigan IV-D Child Support Manual](#) for more information on the DHS-1201 and e1201.

⁶ Some PA offices choose to file many other types of cases as agency complaints. OCS is unable to handle that volume of verification and signature requests.

NECESSARY ACTION:

Review Section 4.03 of the *Michigan IV-D Child Support Manual*. For those maintaining a hard copy of the manual, print the manual section and add it to the manual. Discard the previously published version of Section 4.03 (published October 4, 2016).

REVIEW PARTICIPANTS:

Establishment Work Improvement Team
Case Management Work Improvement Team
Agency Complaint Workgroup
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ATTACHMENT:

Section 4.03: Agency Complaints

EPF/AMC